

DORSEY & WHITNEY LLP

June 7, 2018

RECEIVED

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF KING

JI-WON KIM, LILIAN PARK, JEAN YI,
and JONGJIN AN,

Plaintiffs,

v.

DELTA AIR LINES, INC.,

Defendant.

NO. 18-2-13973-2 SEA

COMPLAINT FOR DAMAGES
AND OTHER RELIEF

INTRODUCTION

This action is brought pursuant the Washington Law Against Discrimination, RCW 49.60 to redress acts of race and national origin discrimination, and retaliation. Plaintiffs seek lost pay, benefits and employment opportunities, emotional distress damages, attorneys' fees and costs, injunctive and other relief.

I. JURISDICTION AND VENUE

1. Defendant does business in King County. At all relevant times, Plaintiffs' workplace where the acts complained herein occurred in King County.
2. This court has jurisdiction pursuant to common law and Chapter 49 RCW.

COMPLAINT FOR DAMAGES
AND OTHER RELIEF- Page 1

LAW OFFICES OF
JUDITH A. LONNQUIST, P.S.
1218 THIRD AVENUE, SUITE 1500
SEATTLE, WA 98101-3021
TEL 206.422.2045 FAX 206.233.9165

1
2
3 **II. PARTIES**

4 3. Plaintiffs Ji-Won Kim, Lilian Park, Jean Yi, and Jongjin An, are all women residing in
5 King County. They were employed by Defendant Delta Air Lines, Inc. (hereinafter "Delta") at
6 Sea-Tac Airport which is located in King County.

7 4. Defendant Delta is a private employer that employs more than eight employees and has
8 offices worldwide including at Sea-Tac Airport.

9 **III. STATEMENT OF CLAIMS**

10 5. Plaintiffs, four Korean-American women, all over 40 years of age, have given Delta
11 almost 40 years of collective loyal service as Customer Service Agents ("CSA"s) prior to being
12 wrongfully terminated in May 2017. All were subjected to sexual harassment and
13 discrimination then retaliated against for complaining about being victims of sexual
14 harassment.

15
16
17 6. Ms. Lilian Park, age 58, was employed by Delta for 12 years, serving as a supervisor, or
18 a "red coat," just prior to her termination.

19
20 7. Ms. Ji-won ("Stella") Kim, age 46, was employed by Delta for over 10 years. Ms. Jean
21 Yi, age 56, was employed by Delta for over 8 years.

22 8. Ms. Jongjin ("JJ") An, age 48, was employed by Delta for over 18 years.

23
24 9. All four women were born in Korea, immigrated to the United States, speak Korean
25 fluently, and worked as Delta's Customer Service Agents at Sea-Tac International Airport in
26

1 SeaTac, Washington. All four were subjected to disparate treatment based on their national
2 origin.

3
4 10. These four women, who served Delta faithfully for years, were subjected to
5 discriminatory acts by supervisors due to their national origin and race. Though assigned to
6 work flights to and from Korea, composed of many Korean-speaking passengers, they were
7 singled out and admonished for speaking Korean.

8
9 11. Specifically, Liza Cherenkova, the Operations Service Manager, pulled Plaintiffs aside
10 and instructed them to refrain from speaking in Korean, as it makes other employees
11 uncomfortable. However, Ms. Cherenkova spoke her native language, Russian, with other
12 employees during work hours.

13
14 12. Many other employees frequently spoke to each other in their native languages during
15 their shifts and were not admonished or coached not to do so.

16
17 13. Employees of certain other national origin were given favorable treatment by receiving
18 extra pay to make announcements in their native languages while Korean employees were give
19 no such extra benefit. Ms. Ji-Won Kim, Lilian Park, Jean Yi, and Jongjin An were never
20 offered extra pay for making announcements in Korean.

21
22 14. The collective women were also subjected to sexual harassment by Delta Employee Jess
23 Kelly, a customer service agent. Each has been the victim of unwanted and harassing touching
24 by Mr. Kelly. Two Plaintiffs made reports to leadership about the sexual harassment yet the
25 harassment did not stop.

1 15. Plaintiffs were singled out for corrective action and punishment following a
2 surreptitious and unauthorized investigation by a peer co-worker who reported on Plaintiffs'
3 use of Delta's liberal upgrade policy.
4

5 16. Plaintiffs were suspended and ultimately terminated for allegedly offering unauthorized
6 upgrades. Plaintiffs did nothing contrary to Delta policy and, in fact, were acting in concert
7 with commonly accepted practices.
8

9 17. Despite widespread acknowledgment of the accepted practices with regard to upgrades,
10 Plaintiffs were interrogated, suspended, and terminated for processing upgrades. The
11 investigation and adverse employment consequences were not consistent with Delta's
12 employment and disciplinary policies.
13

14 18. As a result of the interrogation and rumor-mongering Plaintiffs reputations were sullied
15 and they suffered humiliation, shame, and persistent emotional distress following the loss of
16 their reputations in their field, and ultimately their long-time employment, in which they found
17 satisfaction and had achieved good and reliable pay in recognition of long years of service.
18

19 **COUNT I**

20 Defendant has engaged in race and national origin discrimination, in violation of RCW
21 49.60.180.
22

23 **COUNT II**

24 Defendant has retaliated against Plaintiffs, in violation of RCW 49.60.210.
25

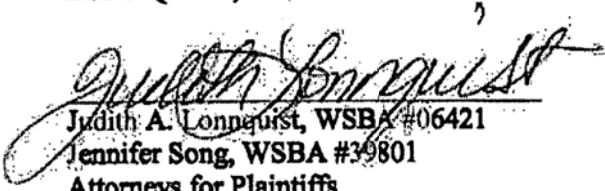
26 **WHEREFORE, Plaintiffs respectfully request the following relief:**

A. Back pay and other economic damages;

- 1
- 2 B. Emotional distress damages;
- 3 C. Pre-judgment interest;
- 4 D. Reasonable attorney's fees and litigation expenses pursuant to RCW 49.60.030
- 5 and 49.48.030;
- 6 E. Injunctive relief;
- 7 F. Tax relief;
- 8 G. Costs;
- 9 H. Such other relief as the Court deems appropriate.
- 10
- 11
- 12

13 Dated this 31st day of May, 2018.

14
15 LAW OFFICES OF JUDITH A.
16 LONNQUIST, P.S.

17 
18 Judith A. Lonnquist, WSBA #06421
19 Jennifer Song, WSBA #39801
20 Attorneys for Plaintiffs
21
22
23
24
25
26